

# DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## POLICY GUIDE 2015.17


### PERMANENCY HEARINGS AND GOALS

**DATE:** October 1, 2015

**TO:** DCFS and POS Administrators, Caseworkers and Supervisors

**FROM:** George H. Sheldon, Acting Director

**EFFECTIVE:** Immediately



#### I. PURPOSE

This Policy Guide:

- reissues instructions for implementing Title IV-E requirements affecting permanency hearings previously announced in **Policy Guide 2007.10, Permanency Hearings and Goals**; and
- provides instructions regarding **new Title IV-E requirements** that affect children and youth age 14 during service plan development and at Permanency Hearings.

#### II. PRIMARY USERS

The primary users of this Policy Guide are DCFS and POS Permanency Workers and Supervisors.

#### III. SERVICE PLAN DEVELOPMENT

- Children age 14 or older may designate persons to assist/advocate in permanency planning.** The child's portion of the Family Service Plan, any transition plan developed for the child, and any revisions or additions to the plans, shall be developed in consultation with the child and, at the option of the child, with up to two members of the Child and Family Team who are chosen by the child and who are not a foster parent/relative caregiver of, or caseworker for, the child.

The child may designate one of the selected individuals to be the child's advisor and, as necessary, advocate, with respect to the application of Reasonable and Prudent Parent Standard to the child.



- b. **Substitute Care Providers Must Use Reasonable and Prudent Parent Standard.** Title IV-E requires caregivers to use the Reasonable and Prudent Parent when deciding whether to allow their foster child to participate in extracurricular, enrichment, cultural, and social activities offered by the child's school or in the community. The requirements for using this standard are set out in Policy Guide 2015.\_\_\_\_, Reasonable and Prudent Parent Standard.
- c. **Rejecting Participation of Individual Who Will Not Advocate In the Best Interests of the Child.** The Permanency Worker may, after consultation with the Permanency Supervisor, reject an individual selected by a child to participate or advocate for the child in service or transition planning at any time if there is good cause to believe that the individual would not act in the best interests of the child. The Permanency Worker shall inform the child and the individual when a selection is rejected. The Permanency Worker shall explain the reasons for rejecting the individual, and document the conversation and reasons for the rejection in a contact note.

#### IV. **PERMANENCY HEARINGS AND THE COURT'S DETERMINATION OF A PERMANENCY GOAL**

- a. In establishing a child's permanency goal, the Juvenile Court Act requires the Court to:
  - 1. Consider both in state and out-of-state placement options; and
  - 2. Consult with the child in an age appropriate manner regarding the proposed permanency or transition plan.
- b. **New Title IV-E requirements** requires the Court to make several additional determinations (set out below). The Permanency Worker shall be prepared to address the following at the Permanency Hearing:
  - 1. the steps the Permanency Worker, Department and private child welfare agency are taking to ensure the child's caregiver is following the **Reasonable and Prudent Parent Standard** and to ascertain whether the child has regular, ongoing opportunities to engage in age- or developmentally appropriate activities.

At the hearing, the Court may also question the child about the opportunities that have been made available to the child to participate in age-appropriate activities. The Permanency Worker shall prepare the child to answer questions from the Court about curricular and extracurricular school activities available to the child and in which the child is participating;

2. for a child placed out-of-state, whether the out-of-state placement continues to be appropriate and in the best interests of the child; and
3. in the case of a child who has attained age 14, the services needed to assist the child to make the transition from foster care to a successful adulthood.

## **V. INSTRUCTIONS TO CHILD WELFARE STAFF**

In addition to the caseworker responsibilities at permanency hearings that are outlined in Rule 316, caseworkers must also do the following:

- a. Present recommendations at the hearing regarding the permanency goal, including information about both in-state and out-of-state placement resources that are consistent with the permanency goal and the child's best interests, health, safety and well-being.

In-state and out-of-state placement options shall also be considered when concurrent planning is being utilized to achieve permanency for the child.

- b. Report on the child's placement, including how the placement meets the child's needs for safety, health, stability and permanency.
- c. In an age-appropriate manner, prepare the child or youth for his or her consultation with the Court by providing information about:
  - potential permanency options or transition plans;
  - the factors the Court may consider in setting the permanency goal, including the child's sense of attachment, wishes and long-term goals; and
  - questions the Court may ask the child.

All other caseworker responsibilities at permanency hearings are the same.

## **VI. QUESTIONS**

Questions about this policy guide should be directed to the Office of Child and Family Policy at 217-524-1983 or via Outlook to OCFP – Mailbox.

## **VIII. FILING INSTRUCTIONS**

Remove and recycle **Policy Guide 2007.10, Permanency Hearings and Goals** from behind Rule 316, Administrative Case Reviews and Court Hearings, and replace with this **Policy Guide 2015.17, Permanency Hearings and Goals**.

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